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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/588,248	04/30/2007	Jae-Sun Cha	1403-20 PCT US	6449
66547 7590 05/11/2010 THE FARRELL LAW FIRM, LLP 290 Broadhollow Road Suite 210E Melville, NY 11747				
EXAMINER				
DESIR, PIERRE LOUIS				
ART UNIT		PAPER NUMBER		
2617				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/588,248

Applicant(s)

CHA ET AL.

Examiner

PIERRE-LOUIS DESIR

Art Unit

2617

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 February 2010.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 20-35 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 20-35 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/C)
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date: _____

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 20-35 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

3. Claims 20-21, 24, 27, 30, 33 rejected under 35 U.S.C. 102(a) as being anticipated by Kitroser et al. (Kitroser) (cited by Applicants).

Regarding claim 20, Kitroser discloses a method of performing a handover on a subscriber station in a target base station, the method comprising:
receiving a ranging request message including a base station identifier of a previous serving base station from the subscriber station (i.e., unique identifier of the former serving BS is included in RNG-REQ) (see page 1, Introduction section); acquiring information of the subscriber station through the base station identifier of the previous serving base station (i.e., acquiring security context) (see page 1, Introduction section); transmitting a response message on the ranging request message to the subscriber station (i.e., RNG-RSP) (see page 1, Introduction section); and performing network re-entry on the subscriber station (see page 1, Introduction section).

Regarding claim 21, Kitroser discloses a method (see claim 20 rejection), wherein the

acquiring comprises: requesting the information of the subscriber station to the previous serving base station based on the base station identifier of the previous serving base (see page 1, Introduction section); and receiving the information of the subscriber station from the previous serving base station (inherently, the Target BS receives the requested security context) (see page 1, Introduction section).

Regarding claim 24, Kitroser discloses a method of performing a handover in a subscriber station of a communication system, the method comprising: transmitting a ranging request message including a base station identifier of a previous serving base station to a target base station (i.e., unique identifier of the former serving BS is included in RNG-REQ) (see page 1, Introduction section); receiving a ranging response message from the target base (i.e., RNG-RSP) (see page 1, Introduction section) that has acquired information of the subscriber station through the base station identifier of the previous serving base station (i.e., security context) (see page 1, Introduction section) and performing network re-entry through the target base station see page 1, Introduction section).

Regarding claim 27, Kitroser discloses a method of generating a message for a handover in a subscriber station, the method comprising: generating a ranging request message at the subscriber station for transmission to a target base station and inserting a base station identifier of a previous serving base station into the ranging request, by the subscriber station (i.e., unique identifier of the former serving BS is included in RNG-REQ) (see page 1, Introduction section); transmitting the ranging request message from the subscriber station to the target base station (see page 1, Introduction section).

Regarding claim 30, Kitroser discloses a method of performing a handover on a

subscriber station in a target base station, the method comprising: receiving a ranging request message including a base station identifier of a previous serving base station from the subscriber station (i.e., unique identifier of the former serving BS is included in RNG-REQ) (see page 1, Introduction section); transmitting a response message on the ranging request message to the subscriber station (i.e., RNG-RSP) (see page 1, Introduction section); and performing network re-entry on the subscriber station (see page 1, Introduction section).

Regarding claim 33, Kitroser discloses a method of performing a handover in a subscriber station, the method comprising: transmitting a ranging request message including a base station identifier of a previous serving base station to a target base station (i.e., unique identifier of the former serving BS is included in RNG-REQ) (see page 1, Introduction section) receiving a response message on the ranging request message from the target base station (i.e., RNG-RSP) (see page 1, Introduction section)); and performing network re-entry through the target base station (see page 1, Introduction section).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 22-23, 25-26, 28-29, 31-32, 34-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kitroser in view of Koo (previously disclosed).

Regarding claims 22, 25, 28, 31, and 34, Kitroser discloses a method as described above (see claims 20, 24, 27, 30, and 33 rejections).

Although Kitroser discloses a method as described, Kitroser does not specifically disclose a method wherein the ranging request message further includes a media access control (MAC) address of the subscriber station.

Koo discloses a method wherein the RNG-REQ provided to the target BS includes 48-bit universal MAC address (see page 7, section 6.2.6).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings as described by Koo with the teachings described by Kitroser to arrive at the claimed invention. A motivation for doing so would have been to uniquely identify the MSS and allow frames to be properly marked for the MSS.

Regarding claims 23, 26, 29, 32, and 35, Kitroser discloses a method as described (see claims 20, 24, 27, 30, 35 rejections).

As disclosed in the rejection of claim 20, Kitroser discloses that serving BS ID is included in a RNG-RREQ message sent to the target BS. Kitroser, however, does not specifically disclose a method wherein a length of the base station identifier of the previous serving base station length is 48 bits.

However, Koo discloses that it is well known in the art to have a BS ID is a unique identifier with a 48-bit size (see section 6.2.1, table 2).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings as disclosed by Koo with the teachings described by Kitroser

to arrive at the claimed invention. A motivation for doing so would have been to properly and uniquely identify the base station.

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to PIERRE-LOUIS DESIR whose telephone number is (571)272-7799. The examiner can normally be reached on M-F 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dwayne Bost can be reached on (571)272-7023. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/PIERRE-LOUIS DESIR/
Examiner, Art Unit 2617